

Message Text

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PAGE 01 STATE 090942
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 CAB-02 FAA-00 CIAE-00
COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 SSO-00
INRE-00 SS-15 NSC-05 /053 R

DRAFTED BY EB/AN:ARIMAS:BA
APPROVED BY EB/AN:RABROWN
L/EB:PMICKEY (SUBS)
EUR/WE:EJBEIGEL
CAB:ALARGAY

-----221644Z 072126 /56

O R 221625Z APR 77
FM SECSTATE WASHDC
TO AMCONSUL MONTREAL IMMEDIATE
INFO AMEMBASSY PARIS
AMEMBASSY OTTAWA
AMEMBASSY LONDON

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FOR J. BILLER, US DEL TO ICAO TALKS

E.O. 11652: N/A

TAGS: EAIR

SUBJECT: CIVAIR: NATIONAL'S MIAMI-PARIS OPERATION

REF: A) PARIS 11612 (NOTAL); B) STATE 78673

1. REFTELS BEING TRANSMITTED TO BILLER IN MONTREAL.

2. PER SUGGESTION REFTEL A, WE RECOMMEND THAT YOU CONTACT
ESPEROU IN MONTREAL TO DISCUSS NATIONAL'S MIAMI-PARIS
SERVICE. YOU MAY WISH TO REITERATE THAT NATIONAL HAS
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BEEN DESIGNATED TO OPERATE A ROUTE CONTAINED IN US-FRENCH
AGREEMENT, AND THAT WE HOPE NO UNDUE PROCEDURE DELAYS
WOULD BE PRESENTED BY THE FRENCH AUTHORITIES. IF ESPEROU
ALLUDES TO THE PAST DELAY EXPERIENCED BY AIR FRANCE IN
OBTAINING CAB PERMISSION TO SERVE CANCUN (PARA 5 REFTEL A),
IT MAY BE POINTED OUT THAT CAB IS BOUND TO FOLLOW FORMAL
REGULATORY PROCEDURES WHICH ARE LENGTHY BY NATURE, ES-

PECIALLY WHERE CONTROVERSIAL ISSUES ARE INVOLVED. FRENCH
DELAY ON THE OTHER HAND WOULD APPEAR TO BE CONTRIVED.

3. WITH REGARD TO DESIRE OF NATIONAL TO SERVE CDG AIR-
PORT, WE BELIEVE POINTS CONTAINED REFTEL B ARE VALID. RE
PARA 1A REFTEL B, IT IS TRUE THAT ORLY HAS BETTER
CONNECTIONS TO DOMESTIC FRENCH POINTS. HOWEVER, NATIONAL

HAS NOT CARRIED AND DOES NOT EXPECT TO CARRY ANY TRAFFIC
TO FRENCH POINTS OTHER THAN PARIS, BORDEAUX, MARSAILLE,
NICE AND TOULOUSE, ALL OF WHICH MAY BE ADEQUATELY SERVED
FROM CDG. TWA AND PAN AM TRAFFIC PATTERNS DIFFERED FROM
THOSE EXPECTED BY NATIONAL. BOTH TWA AND PAN AM HAD A
GREATER INTEREST IN HAVING ADDITIONAL FRENCH DOMESTIC
CONNECTIONS THAN DOES NATIONAL.

4. DISTINCTION BETWEEN "AIRPORT" AND "AIRFIELD" WHICH
FRENCH COULD MAKE (PER PARA 7(F) REFTEL A), WOULD APPEAR
TO BE ARTIFICIAL. IT IS CLEAR TO US THAT CDG AND ORLY
ARE SEPARATE AIRPORTS JUST AS NEWARK AND KENNEDY ARE
SEPARATE AIRPORTS ALTHOUGH BOTH OF THE LATTER ARE
ADMINISTERED BY THE NEW YORK/NEW JERSEY PORT AUTHORITY.
ALSO, THERE IS NO VALID COMPARISON BETWEEN NATIONAL CASE
AND CONCORDE SERVICE AS FAR AS OBLIGATIONS UNDER INTER-
NATIONAL AGREEMENTS ARE CONCERNED. AIR FRANCE, AS AN
AIRLINE, IS NOT PREVENTED FROM OPERATING TO THE UNITED
STATES IN ANY WAY AND IS NOT BEING DEPRIVED OF ACCESS TO
INTERNATIONAL AIRPORTS AT CITIES WHICH IT IS AUTHORIZED
TO SERVE. THE CONTROVERSY SURROUNDING AIR FRANCE'S
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USE OF THE CONCORDE DOES NOT INVOLVE DENIAL OF THESE
BASIC AND EXPLICIT RIGHTS CONFERRED BY THE BILATERAL AND
THE CHICAGO CONVENTIONS. RATHER IT CENTERS ON THE ABILITY
OF AIR FRANCE TO COMPLY WITH "LAWS AND REGULATIONS"
PERMITTED TO BE IMPOSED UNDER ARTICLE 5 OF THE BILATERAL
WHEN IT USES A PARTICULAR TYPE OF EQUIPMENT.

5. WE SEE NO PURPOSE IN DISCUSSING EXTENSIVELY WITH
ESPEROU AT THIS TIME OTHER POINTS CONCERNING AIRPORT
SELECTION, EXCEPT TO MENTION THE CONTINUATION OF
NATIONAL'S INTEREST IN SERVING CDG AND EXPRESSING OUR
SUPPORT OF NATIONAL'S INTEREST IN THIS REGARD.

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